

IN THE DRAWINGS:

A Letter to the Official Draftsman is attached with proposed drawing corrections to Figures 1-6.

The attached sheets of drawings include changes to Figures 1-6. These sheets, which include Figures 1-6, replace the original sheets of Figures 1-6.

REMARKS

In the Office Action, the abstract of the disclosure was objected to because of informalities. The drawings were objected to because the details of the drawings were difficult to discern. Claim 2 was rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claims 1-3 were rejected under 35 U.S.C. §102(b) as being anticipated by Sakata et al. (U.S. Pat. No. 5,443,561). Claims 1 and 2 were rejected under 35 U.S.C. §102(b) as being anticipated by Nobuharu et al. (JP 2002-115613). Claims 1-3 were rejected under 35 U.S.C. §102(b) as being anticipated by Yoshihara (JP 2003-185046).

None of the cited references (Sakata et al. (5,443,561), Nobuharu et al. (JP 2002-115613) and Yoshihara (JP 2002-185046)) discloses, or even suggests, the features of the present invention, namely, “the second valve body portion being provided with an axis portion extending through the second valve port and protruding upwardly; a retainer portion engaging with the axis portion mounted on the upper surface side of the case, and a spring disposed on the retaining portion to bias the sub float upwardly in such a manner that a load from the sub flat is not added to the float.”

The Examiner indicates that Sakata et al. discloses a float valve comprising, “A second valve port (7) that is formed on the upper surface of the case to have a larger diameter (the through bore of 7 below 10 is larger than the bore of 6) than that of the first valve port.” (Page 4, lines 15-17 of the Office Action.)

However, such structure is not disclosed in Sakata et al.

Sakata et al. describes, at column 4, lines 9-17, that “A horizontal sectional area of a lower half portion of the first float valve 8 is equal to that of a lower half portion of the second float valve 9. An upper half portion of the second float valve 9 is equal in outer diameter to the lower half portion thereof, whereas an upper half portion of the first float valve 8 is smaller in outer diameter than the lower half portion thereof, accordingly, than the lower half portion of the second float valve 9.”

Although it describes the outer diameters of the first float valve and the second float valve, but there is no description about a diameter of the valve port.

Further, the large-small relationship of the diameter of the first valve port and that of the second valve port cannot be recognized from the drawings, either.

Then, with the present application, the subject matter of the initially filed Claim 3 (a spring that biases upward the sub float in such a manner as not to add a load from the sub float to the float) is now incorporated into Claim 1 by amendment,

and it is believed that Nobuharu et al. should not be cited against amended Claim 1, as Nobuharu has not been cited against original Claim 3.

The Examiner indicates that Nobuharu et al. discloses a float valve comprising “A second valve port (36B) that is formed on the upper surface of the case to have a larger diameter than that of the first valve port.” (Page 5, lines 9-11 of the Office Action.)

However, such description is not in the specification of Nobuharu et al.

Further, the Examiner indicates in the Office Action that Yoshihara discloses a float valve comprising: “A first valve body portion (22) that is formed on an upper surface of the float to close the first valve port. A sub float (8) through which the first valve body portion goes and is covered over the upper surface of the float.”

In other words, it seems that the Examiner takes the position that the first float 8 of Yoshihara corresponds to the sub float of the invention of the present application, and the second float 9 of Yoshihara corresponds to the float of the invention of the present application.

Then, in association with this, the Examiner regards the first opening portion 3a of Yoshihara corresponds to the second valve port of the invention of the

present application, and the second opening portion 3b of Yoshihara corresponds to the first valve port of the invention of the present application.

However, Yoshihara describes in paragraph [0076], “When an umbrella-shaped valve 13 with fins is floated and a first shut-off valve 12 is closed, flowing-out of fuel steam passing through a first opening portion 3a is blocked. At this time, a second opening portion 3b is still in the open state, and the discharge path of fuel steam from a fuel tank 100 has not been completely blocked. That is, the discharge path of the fuel steam is still secured. In other words, it can be said that, due to closing of the first shut-off valve 12, the discharge quantity of fuel steam could have been throttled.” In addition, paragraph [0092] of Yoshihara describes, “The second opening portion 3b is provided as an auxiliary discharge path to make it possible to refueling, and it is design to have a considerably small diameter as compared with the first opening portion 3a.”

From these descriptions, it is apparent that, in Yoshihara, the second opening portion 3b and the second float 9 for closing this opening portion are provided as auxiliary. Accordingly, it is reasonable to regard that this second float 9 corresponds to the sub float.

Accordingly, in the float valve of Yoshihara, the second opening portion 3b, which is closed by the second float 9, has a smaller diameter than the first opening portion 3a which is closed by the first float 8.

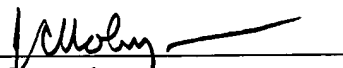
In short, this is entirely opposite to the arrangement of the present invention wherein the second valve port which is closed by the sub float has a larger diameter than the first valve port which is closed by the float.

Based on the foregoing amendments and remarks, it is respectfully submitted that the present application should now be in condition for allowance. A Notice of Allowance is in order, and such favorable action and reconsideration are respectfully requested.

However, if after reviewing the above amendments and remarks, the Examiner has any questions or comments, [he/she] is cordially invited to contact the undersigned attorneys.

Respectfully submitted,

JACOBSON HOLMAN PLLC

By: 
John C. Holman
Reg. No. 22,769

400 Seventh Street, N.W.
Washington, D.C. 20004-2201
(202) 638-6666
Date: July 7, 2008
JCH/JLS:crj

SEAL DIAMETER Y

SEAL DIAMETER X

